

OCT 09 2014

JULIE A. RICHARDS, CLERK
US DISTRICT COURT, EDNC
BY UD DEP CLKIN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:13-CR-305-BO

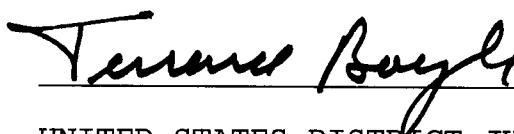
UNITED STATES OF AMERICA)	
)	
v.)	<u>ORDER</u>
)	
BASIT JAVED SHEIKH,)	
)	
Defendant.)	
)	

On November 5, 2013, a federal grand jury returned a one count indictment charging the defendant ^{TO} in the above-captioned case with attempt to provide material support and resources to a designated foreign terrorist organization identified as the al-Nusrah Front, in violation of 18 U.S.C. § 2339B. Defendant generally sought informal discovery in this case beginning on November 12, 2013.

On September 18, 2014, the Government filed an *ex parte in camera* motion pursuant to Section 4 of the Classified Information Procedures Act, 18 U.S.C. App. III ("CIPA") and Rules 16(d) and 26.2 of the Federal Rules of Criminal Procedure, for a protective order seeking relief from discovery. After a careful *in camera* review of all of the materials submitted by the Government, I find that the United States has clearly established that the material it seeks to protect from discovery involves the national security of the United States and that the release of said materials could be expected to cause serious harm to the national security of the

United States. I further find, based on the materials submitted *ex parte* and *in camera*, that the classified national security materials to be deleted from discovery are not materially favorable to the defense pursuant to Brady v. Maryland, 373 U.S. 83 (1963), nor are they relevant and helpful to the defense pursuant to United States v. Yunis, 867 F.2d 617 (D.C. Cir. 1989).

IT IS HEREBY ORDERED this 9 day of October 2014, that the Government's request for relief from discovery is granted.

A handwritten signature in black ink, reading "Terrence Boyle", is written over a horizontal line.

UNITED STATES DISTRICT JUDGE
TERRENCE W. BOYLE